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Atty. Docket No. MSE-2610

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND CERTIFICATION UNDER 37 CFR 1.97(e)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR §1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

The citations listed on the attached Supplemental Information Disclosure Statement (Supplemental Form PTO-1449) and listed herewith may be material to the examination of the above-identified patent application. Therefore, Applicants submit these documents in compliance with the duty of disclosure as defined in 37 CFR §1.56, §1.97, and §1.98. The Examiner is requested to make these citations of official record in the present application.

A copy of the European Search Report dated November 27, 2003 from a counterpart application is enclosed. Legible copies of all items listed in Supplemental Form PTO-1449 accompany this information disclosure statement. Cumulative patents or publications identified in the attached European Search Report are not enclosed.

I hereby certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 CFR 1.97 (e) (1).

The person making this statement is the attorney who signs below on the basis of the information in the attorney's file.

Respectfully submitted,

By:

Elizabeth A. Levy

Attorney for Applicants

Reg. No.34,375

Date:

1-15-04

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Sound would Form PTO 1440	50	Application No.	09/844,815
Supplemental Form PTO-1449	2 1 2004 3	Filing Date	4/30/01
INFORMATION	DISCEOSURE	Inventor	Rehm et al.
INFORMATION DISCEOSURE STATEMENT BY AND LICANT		Group Art Unit	1641
		Examiner Name	Gary W. Counts
Page 1	of 1	Attorney Docket No.	MSE-2610

#### **U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No.	Document Number	Public. Date	Name of Patentee	Relevant Pages
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# FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code	Public. Date	Name of Patentee	Relevant Pages	Translation Yes/No
		EP 0814167 A1	12/29/97	Kyoto Daiichi Kagaku KK	Whole document	
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## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Name of author (CAPITAL LETTERS), title of article (when appropriate), title of item (book, magazine, journal, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		
		AUSUBEL F M: "Current Protocols in Molecular Biology. Passage Text" Current Protocols in Molecular Biology, New York, Wiley & Sons, US, vol. 3, 1995, page A03F12 XP002054528		

Examiner Signature	Date Considered			
Examiner: Initial if citation is considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.				